

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jeffrey C. Mogul

Application No.: 09/825,661

Confirmation No.: 3408

Filed: April 3, 2001

Art Unit: 2154

For: REDUCTION OF NETWORK RETRIEVAL
LATENCY USING CACHE AND DIGEST

Examiner: D. A. C. Perez

REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under § 41.41(a)(1), this Reply Brief is filed within two months of the Examiner's Answer dated November 1, 2006, and is in furtherance of the Appeal Brief filed on January 20, 2006.

No fee is required for this REPLY BRIEF.

This brief contains items under the following headings pursuant to M.P.E.P. § 1208:

- I. Status of Claims
- II. Ground of Rejection to be Reviewed on Appeal
- III. Argument
- IV. Conclusion

I. STATUS OF CLAIMS

The status of claims remains as identified in the Appeal Brief submitted January 20, 2006, wherein claims 1-20 stand rejected and are presented for appeal.

II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed remain as identified in the Appeal Brief submitted January 20, 2006.

III. ARGUMENT

Appellant respectfully notes that in response to the Final Office Action mailed August 19, 2005, Appellant filed a Notice of Appeal followed by a supporting Appeal Brief (dated January 20, 2006). The Examiner then mailed an Answer on April 10, 2006. On June 9, 2006, Appellant submitted a Reply Brief.

On September 18, 2006, the Board issued an Order Returning the Appeal to the Examiner because the Examiner had failed to include a listing of the references relied upon in the rejections as evidence in the Examiner's Answer. Therefore, the Examiner then mailed a second Examiner's Answer (dated November 1, 2006), which appears to be substantially identical in substance to the first Examiner's Answer of April 10, 2006, but adds a listing of the cited references as evidence. Because Appellant's arguments submitted in the Reply Brief of June 9, 2006 (in conjunction with the arguments presented in the Appeal Brief of January 20, 2006) adequately respond to the Examiner's reasoning and traverse the grounds of rejection, Appellant respectfully hereby stands on those arguments. That is, Appellant respectfully reasserts those arguments previously presented in this appeal, and requests that the Board overturn the outstanding rejections for the reasons detailed in the previously submitted Appeal and Reply Briefs.

IV. CONCLUSION

Appellant respectfully requests that the Board overturn the rejections of pending claims 1-20 for the above reasons.

Dated: December 27, 2006

Respectfully submitted,

By: 

Jody C. Bishop

Reg. No. 44,034

Telephone No. (214) 855-8007

Facsimile No. (214) 855-8200